

DANIEL J. BRODERICK, #89424
Federal Defender
LINDA C. HARTER, CA Bar #179741
Chief Assistant Federal Defender
Designated Counsel for Service
801 I Street, 3rd Floor
Sacramento, California 95814
Telephone: (916) 498-5700

Attorney for Defendant
CAROL ROTH

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	No. Cr. S 03-144 WBS
)	
Plaintiff,)	
)	DEFENDANT'S NOTICE OF MOTION AND
v.)	MOTION TO TERMINATE SUPERVISION
)	PURSUANT TO 18 USC § 3583(E)(1)
CAROL ROTH,)	
)	
Defendant.)	
)	Time:
)	Judge: Hon. William B. Shubb

**TO: MCGREGOR W. SCOTT, UNITED STATES ATTORNEY AND CAROLYN K. DELANEY,
EXECUTIVE ASSISTANT UNITED STATES ATTORNEY, ATTORNEYS FOR THE
PLAINTIFF:**

PLEASE TAKE NOTICE that the defendant, Carol Roth, through
undersigned counsel, hereby moves the Court to terminate supervision
pursuant to 18 U.S.C. § 3583(e)(1).

1 **I. FACTS**

2 Ms. Roth was arrested on April 4, 2003 on federal charges dealing
3 with the distribution 1,4 Butandiol in violation of federal drug laws.
4 Her first appearance in the case was on April 4, 2003. She was
5 released that same day on an unsecured appearance bond and with
6 pretrial supervision.

7 Ms. Roth ultimately entered into a plea agreement and was
8 sentenced to a total of three months in BOP custody. She had been
9 supervised by pretrial services for approximately 30 months without
10 incident.

11 In October of 2005 Ms. Roth self-surrendered to serve her three
12 month sentence. Since her release she has maintained steady
13 employment. She recently had her first child. She has been supervised
14 for approximately 18 months by the U.S. Probation Office. Her
15 probation officer is Toni Ortiz.¹

16 During the time she has been on supervision Ms. Roth has followed
17 all the instructions of her probation officer. She has no fines or
18 special assessments left to pay. No petitions to violate her
19 supervision have ever been filed. Her probation officer does not
20 oppose her release from supervision.

21 **II. LAW**

22 18 U.S.C. 3583(e)(1) states that the Court may terminate
23 supervision at any time after the one year if the Court is "satisfied
24 that such action is warranted by the conduct of the defendant" and if
25 such action is in the interests of justice.

26 This case was Ms. Roth's first involvement with the criminal
27

28 ¹Toni Ortiz can be reached at the Sacramento probation office by
dialing the main number 930-4300.

1 justice system. Ms. Roth's conduct during her 30 months of pretrial
2 supervision and during the nearly 18 months of probation's supervision
3 following her release from custody has been exemplary. She has
4 followed all of her probation officer's instructions, paid her required
5 fines and maintained steady employment. She bought a house during the
6 pendency of this case. She has also maintained a steady relationship
7 during all this time with the same man - and they recently had their
8 first child.

9 Ms. Roth respectfully requests that this Court now terminate her
10 supervision.

11
12 Dated: July 9, 2007

Respectfully submitted,

13
14 DANIEL J. BRODERICK
Federal Defender

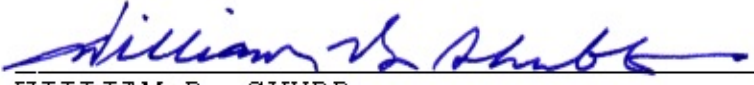
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16 /s/ Linda C. Harter

17 LINDA C. HARTER
Chief Assistant Federal Defender
Attorney for Defendant
18 CAROL ROTH

19
20 **ORDER DENYING MOTION**

21 For the reasons set forth in the United States' opposition to the
22 motion, the court finds that early termination pursuant to the
23 provisions of 18 U.S.C. § 3583(e) is not warranted at this time.
24 According, Carol Roth's motion for an order terminating her supervised
25 release is hereby DENIED.

26 Dated: July 26, 2007

27 
28 WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE